

**CITY COUNCIL MEETING
CITY OF WATERTOWN
November 17, 2008
7:00 P.M.**

MAYOR JEFFREY E. GRAHAM PRESIDING

PRESENT: **COUNCIL MEMBER ROXANNE M. BURNS
COUNCIL MEMBER JOSEPH M. BUTLER, JR.
COUNCIL MEMBER PETER L. CLOUGH
COUNCIL MEMBER JEFFREY M. SMITH
MAYOR GRAHAM**

ALSO PRESENT: **CITY MANAGER MARY M. CORRIVEAU
CITY ATTORNEY ROBERT J. SLYE**

City Manager Corriveau presented the following reports to the Council:

- 1 - Appointment to the Roswell P. Flower Memorial Library Board of Trustees – Brenna R. Ginger
- 2 - Approving the “Revising Zoning Laws” Workshop on November 19, 2008 as Valid Training for Meeting the New York State Municipal Planning and Zoning Officials Training Requirement
- 3 - Adopting Revised Guidelines and Administrative Procedures for the HOME Repair Program
- 4 - Approving Pole Attachment Agreement, National Grid
- 5 - Approving Data Processing Service Agreement, Watertown City School District
- 6 - Authorizing Public Sale of City Owned Property
- 7 - Authorizing License Agreement for Use of City Owned Lands, WESTELCOM, Network, Inc.
- 8 - Accepting Traffic Signal Pole Bid, City Electric
- 9 - Approving Professional Services Agreement with Bernier, Carr & Associates For Engineering Design and Inspection of the North Side Trunk Sewer Lining Project
- 10 - Approving the Special Use Permit Request Submitted by Paul Hinkle to Allow a Tattoo and Body Art Parlor at 223 J.B. Wise Place, Parcel No. 7-01-134
- 11 - Authorizing the Issuance of \$75,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Design Costs for the Relining of a Portion of the North Side Trunk Sewer Main, In and For Said City
- 12 - 7:00 P.M. – Approving the City of Watertown’s Combined Sewer Overflow Long Term Control Plan
- 13- Pedestrian Crossing, 800 Block of Washington Street
- 14 – City Manager’s Update

COMPLETE REPORTS ON FILE IN THE OFFICE OF THE CITY CLERK

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of November 3, 2008 was dispensed with and accepted as written by motion of Council Member Burns, seconded by Council Member Smith and carried with all voting in favor thereof.

COMMUNICATIONS

Minutes of the library's board meeting were received.

ABOVE PLACED ON FILE

From the City Planning Board recommending that Council approve the Special Use Permit submitted by Paul Hinkle to allow a Tattoo and Body Art Parlor at 223 JB Wise Place, Parcel No. 7-01-134.000.

ABOVE PLACED ON FILE

From Beth Fipps, Operation Yellow Ribbon Committee Member, requesting that the gazebo on Public Square be lit and decorated with yellow ribbons for the holiday season to pay tribute to the many soldiers who are deployed, deploying or just returning from deployment.

ABOVE PLACED ON FILE

The following claims against the City were received:

1. From Agnes Morley for personal injuries she sustained when she fell on Franklin Street.
2. From Deborah Menke for personal injuries she sustained when she tripped over a wire at the Farmer's Market.
3. From Ann Marie Abbass for personal injuries she sustained when she fell on Mill Street.

ABOVE CLAIMS REFERRED TO THE BOARD OF AUDIT

PUBLIC HEARING

AT 7:00 P.M. MAYOR GRAHAM ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING CONCERNING THE CITY OF WATERTOWN'S COMBINED SEWER OVERFLOW LONG TERM CONTROL PLAN.

MAYOR GRAHAM OPENED THE HEARING.

Michael J. Sligar, Chief Waste Water Treatment Plant Operator, addressed the chair and presented a power point presentation showing several slides and charts including maps of Watertown which outlined the sewer districts and basins.

After a thorough presentation of the issues concerning the Long Term Control Plan, Mr. Sligar explained that at the October 23rd meeting of the Public Participation Committee, the following

recommendations were made:

1. The City Council acceptance of this Long Term Control Plan as a factual representation of the City's combined sewer system.
2. City Council acceptance of the four summarized impairments to the City's combined sewer system.
3. That the City Council focus its limited capital fund to combined sewer separation projects.

MAYOR GRAHAM CLOSED THE HEARING AT 7:32 P.M.

PRIVILEGE OF THE FLOOR

No one spoke.

RESOLUTIONS

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

BE IT RESOLVED THAT Brenna R. Ginger, 119 Flower Avenue East, Watertown, New York, is hereby appointed to the Roswell P. Flower Memorial Library Board of Trustees, for a term of eleven years, commencing on January 1, 2009 and expiring on December 31, 2019.

SECONDED BY COUNCIL MEMBER ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA

Mayor Graham welcomed Ms. Ginger and Council Member Burns thanked her for agreeing to serve on the library board.

Ms. Ginger addressed the chair thanking Council for the opportunity and remarked that she looked forward to serving on the library board.

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

WHEREAS the New York State Chapter 662 of the Laws of 2006, which took effect on January 1, 2007 requires all municipal planning and zoning officials to have four hours of training per year, and

WHEREAS the training must be approved by the City Council before it can be used to meet the new training requirement, and

WHEREAS the Jefferson County Department of Planning, the NYS Tug Hill Commission, and the Center for Community Studies at Jefferson Community College are co-

sponsoring a training session on “Revising Zoning Laws” for local planning officials on November 19, 2008 from 6:30 p.m. to 8:30 p.m. at Jefferson Community College,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that the “Understanding the New York State Agriculture Districts Program” workshop is approved to provide two hours of training toward meeting the New York State Municipal Planning and Zoning Officials training requirement.

SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

WHEREAS a Grant has been received from the North Country HOME Consortium using Federal funds from the United States Department of Housing & Urban Development (HUD) under the HOME Investment Partnerships Program to implement a City-wide rehabilitation program for owner occupied one-four family properties, and

WHEREAS the City has agreed to administer that program in compliance with rules and regulations established by HUD and published in the Code of Federal Regulations at 24CFR Part 570, and

WHEREAS local Guidelines and Procedures were developed for a similar program in 2006 and adopted by the City Council at its regular meeting on December 4, 2006, and

WHEREAS revisions have been made to the Guidelines and Procedures that were adopted in 2006 to reflect changes in the program that are required by the funding agency,

NOW THEREFORE BE IT RESOLVED that the proposed Revisions to the Guidelines and Procedures for the Local HOME Repair Program are hereby adopted and shall become effective immediately for all rehabilitation activities conducted with HOME funding from the North Country HOME Consortium in the City of Watertown.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

WHEREAS the City of Watertown desires to display holiday decorations throughout the community, and

WHEREAS National Grid, owners of the street lighting system, wishes to permit civic organizations and/or municipal corporations to temporarily attach seasonal decorations, announcements and special-event notifications to their facilities, and

WHEREAS National Grid has asked the City to approve a Holiday Decoration Attachment Agreement to cover the use of their facilities,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves the Holiday Decoration Attachment Agreement, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that the City of Watertown hereby agrees to defend and indemnify National Grid from and against any and all claims for personal injury or property damage arising from the negligence of any of its officers or employees occurring in connection with the use of their facilities in accordance with this Agreement, and

BE IT FURTHER RESOLVED that City Manager Mary M. Corriveau is hereby authorized and directed to execute the Agreement on behalf of the City of Watertown.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

WHEREAS the City of Watertown has computer equipment which has automated the functions performed within the City Assessment Department, and

WHEREAS the City Assessor's Office is responsible for maintaining the records for all real property within the City of Watertown, and

WHEREAS the City has the ability to produce assessment rolls, print tax bills and maintain the data needed to accomplish these tasks, and

WHEREAS the Watertown City School District has a need for the services offered by the City's Assessment and Information Technology Departments,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves the Data Processing Service Agreement with the Watertown City School District, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that the City Manager, Mary M. Corriveau, is hereby authorized and directed to execute the Agreement on behalf of the City of Watertown.

SECONDED BY COUNCIL MEMBER ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

WHEREAS the City of Watertown owns certain lots of land acquired at Tax Sale and designated on the map of the Department of Assessment and Taxation of the City of Watertown,

New York as follows:

<u>Parcel Number</u>	<u>Address</u>
11-03-113.000	210-212 Academy Street
1-17-512.000	848 Anne Street
9-01-120.000	571 Arsenal Street
9-01-119.000	117 Exchange Street
1-13-126.000	200 Hazelhurst Avenue
14-17-307.000	VL-3 Marra Drive
4-27-403.000	119 Marble Street
4-27-402.000	119 Marble Street
9-01-203.000	218 Meadow St. South

And,

WHEREAS title said land has been retained by the City of Watertown, and

WHEREAS the City Council deems the properties to be excess and not required for any City purposes, and

WHEREAS the City Council desires to ensure that properties such as those listed above be brought into compliance with all applicable provisions of the New York State Fire Prevention and Building Code and all City of Watertown zoning and health codes within one (1) year of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 13 adopted by the Council, on June 6, 1977, the Comptroller of the City of Watertown be and he hereby is authorized to publish a Notice of Sale of the parcels of land above mentioned once a week for three (3) consecutive weeks in the official newspaper of the City of Watertown to the effect that said parcels of land will, at 6:00 p.m. on the 9th day of December, 2008, in the 3rd Floor City Council Chambers in the Municipal Building, 245 Washington Street, be offered individually for sale to the highest bidder and there present, under the conditions herein set forth:

The aforesaid parcels are conveyed, together with all rights and privileges affecting the same, and also together with all buildings, improvements and appurtenances located upon said described parcels, and

BE IT FURTHER RESOLVED that the City Comptroller be and he hereby is authorized to offer for said said parcels subject to the rights of the said City Council to reject any and all bids, and

BE IT FURTHER RESOLVED that the highest bidder deposit at least 10 per cent (10%) of the bid price at the same time of each said bid with the City Comptroller, and

BE IT FURTHER RESOLVED that said parcels of land shall be offered for sale for cash only, and

BE IT FURTHER RESOLVED that the Notice of Sale, any offer to purchase, and any deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the State Fire Prevention and Building Code and all City of Watertown zoning and health codes within one (1) year of the City's delivery of the deed to the buyer, the City shall have the right to seek reversion of title to the City, and

BE IT FURTHER RESOLVED that the said bids shall be submitted to the Mayor and City Council for their approval or rejection, and

BE IT FURTHER RESOLVED that the City reserves the right to withdraw any parcel prior to the public sale of said parcels.

SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

WHEREAS, the City owns and is currently developing an underground conduit system within the City of Watertown for the City's use for encasing City-owned fiber cable, and

WHEREAS, the City has available space in its conduit which can be efficiently utilized by others for similar purposes to the extent such additional facilities do not interfere with the City's needs, and

WHEREAS, the City Council has declared its desire to advance the public purpose of promoting, developing or expanding business within the City by entering into a non-exclusive franchise with Westelcom to locate its facilities within the City's existing and proposed conduit, and

WHEREAS the City and Westelcom anticipate entering into a non-exclusive franchise agreement pursuant to which Westelcom shall, under certain circumstances, be permitted to install its privately owned facilities on City-owned property, and

WHEREAS, prior to entering into this non-exclusive franchise, Westelcom desires a license to utilize City property for a particular pull box and conduit, and the City has no objection to granting such license upon the express terms of this Agreement,

NOW THEREFORE BE IT RESOLVED that the City Council approves the License Agreement between the City of Watertown and WESTELCOM Network, Inc., a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that Mary M. Corriveau, City Manager, is hereby authorized and directed to execute the contract on behalf of the City of Watertown.

SECONDED BY COUNCIL MEMBER ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA

Prior to the vote on the foregoing resolution, Council Member Butler asked about the installation.

Mrs. Corriveau explained that Westelcom will do the installation in coordination with City staff.

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of four (4) new and unused Traffic Signal Poles for installation by the City's Electric Department at the entrance of Summit Woods on outer Washington Street, and

WHEREAS invitations to bid were issued to seven (7) prospective bidders, with four (4) bids received, and

WHEREAS on Monday, November 10, 2008, at 11:00 a.m., the bids were publicly opened and read, and

WHEREAS after reviewing the bids received with Ralph Green from our Electric Department and Justin Wood from our Engineering Department, it is the recommendation of Purchasing Agent Robert J. Cleaver that the City Council accept the bid submitted by City Electric, Watertown, New York, in the amount of \$14,690. with an anticipated deliver of 49 – 63 days,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid submitted by City Electric, in the amount of \$14,690, for the purchase of four (4) new and unused traffic signal poles to be delivered within 49 – 63 days.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA

Prior to the vote on the foregoing resolution, Council Member Clough asked when the poles would be in.

Mrs. Corriveau explained that the poles should arrive in about 7-9 weeks.

Mr. Hayes also advised that with winter quickly approaching, drill holes the diameter and depth that will be needed may be a challenge. He explained that we have to get the size for the holes from the pole manufacturer.

Council Member Clough explained that he just wanted an answer as to the timing, since the memo said one thing and Mr. Hayes has said something else.

Mrs. Corriveau explained that the memo was based on discussions with Ralph Green. However, it is ultimately up to Mr. Hayes when they will be done.

Mr. Hayes explained that he is assuming we will have to solicit bids. The area is all rock and we will have to get footer specs from the manufacturer. Then, we must look at how long it will take to get the footers in the ground.

Council Member Clough remarked that the City has had discussions with the school about having lighting up there.

Mayor Graham asked if the design work was done.

Mr. Hauk explained that it was done by Lu Engineering. He explained that we need to get the shop drawings from the pole manufacturer.

Mayor Graham commented that he would hope that anything that could be done to move this along would be. He remarked that people are concerned with traffic safety. In addition, students will, no doubt, be crossing the street there at some point.

Council Member Clough asked that Council be kept up to date.

Mr. Hayes advised Council that staff will give a report each time new information comes in.

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS as part of the City's Long Term Control Plan, an Agreement for Professional Services from Bernier, Carr & Associates, P.C. has been drafted, a copy of which is attached and made part of this resolution, and

WHEREAS this Agreement, which has been reviewed by the City Engineering Department and Slye & Burrows, provides for engineering design and inspection for the North Side Trunk Sewer Lining project, and

WHEREAS under the terms of this Agreement, Bernier Carr & Associates will do preliminary and final designs, with bid specifications; work with the City to review bid responses; and construction administration, and

WHEREAS the proposed contract calls for this work to be completed at an amount not-to-exceed engineering design costs of \$66,865.00,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement for Professional Services with Bernier, Carr & Associates, P.C.

to provide engineering design and inspection for the North Side Trunk Sewer Lining Project for a not-to-exceed cost of \$66,865.00, and

BE IT FURTHER RESOLVED that the City Manager, Mary M. Corriveau, is hereby authorized and directed to execute the Agreement on behalf of the City, and

BE IT FURTHER RESOLVED that approval of this resolution is contingent upon approval of the Bond Ordinance.

SECONDED BY COUNCIL MEMBER PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCIL MEMBER SMITH VOTING NAY

Prior to the vote on the foregoing resolution, Council Member Smith asked why this couldn't be done in house. He commented that he didn't understand why the City would pay \$67,000 to pay someone else to line a pipe.

Mr. Hauk explained that the scope of the project is not just the lining operation. It is also looking for evaluation of the sewer itself, to make sure that it can accommodate the lining. Field verification needs to be done. The firm has expertise in this area, whereas, the City Engineering Department does not have a lot of background in it.

Council Member Smith commented that the City has video equipment and we already have a video of inside the pipe.

Mr. Hauk explained that this was merely a person in his department who put the camera in the pipe and pointed it upstream. He also explained that part of this project would be the construction of a maintenance road.

Council Member Smith responded that Bernier Carr doesn't build access roads. He commented that the City has enough in-house expertise for the scope of this project.

Council Member Clough asked if this went out to bid.

Mr. Hauk explained that and RFP request was sent out to 6 firms and responses were received from 4.

Council Member Clough asked if Bernier Carr was the lowest.

Mr. Hauk explained that this agreement's fees are negotiated on what the City wants them to perform.

Council Member Clough asked why the City was using Bernier Carr.

Mr. Hauk explained that they had the ability to complete the project by next spring and they have the experience.

Council Member Butler asked if the issue was more work load than an expertise issue.

Mr. Hauk explained that both issues were equal. Next spring, Creekwood will happen and if we do this project in-house, we need to move something else out.

Council Member Butler asked if the staff will have the expertise moving forward.

Mr. Hauk explained that this will help staff get the training. He explained that no one on staff had ever done a relining.

Mayor Graham asked what the downside of not doing this would be.

Mrs. Corriveau explained that the EPA is requiring the City to do it. If we don't continue to address the inflow and infiltration issue, we will reach our maximum capacity at the plants. However, we have to be able tell DEC that we have capacity in the pipes for the housing development on the north side. She explained that the project is budgeted in this year's sewer fund.

Discussion was held about moving the pipe out of the current location and putting it into the street.

Council Member Smith questioned if the pipe wasn't sound enough to line.

Mr. Hauk commented that is why we want to have someone look at the pipes and to give us an evaluation. He also commented that he believes the life cycle for the lining is 50 years. He explained that the lining comes collapsed and once it is placed in the pipe, it fully expands under pressure and becomes attached permanently to the pipe.

Council Member Smith questioned if this just shouldn't be done by taking the pipe out of the riverbed and doing it the right way.

Council Member Clough questioned what would happen if the City hires Bernier, Carr and they say the lining can't be done.

Mr. Hauk explained that the new scope would have to be negotiated and staff would then come back to Council for approval of the new scope.

Council Member Butler asked who had done Arsenal Street.

Mr. Hayes advised that DPW did it. They studied the market and talked to people and narrowed it to a couple of firms. It was installed in three nights by the firm that had been selected. However, the Arsenal Street project was different from this project in that the railroad determines this path.

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

WHEREAS Paul Hinkle has made application for a Special Use Permit to allow a tattoo and body art parlor at 223 J. B. Wise Place, Parcel No. 7-01-134, and

WHEREAS the Planning Board of the City of Watertown reviewed the request for a Special Use Permit at its meeting held on November 4, 2008 and adopted a motion recommending that the City Council approve the request as submitted, and

WHEREAS the Jefferson County Planning Board reviewed the request on November 25, 2008, pursuant to General Municipal Law Section 239-m, and

WHEREAS a public hearing was held on the proposed Special Use Permit on December 1, 2008, after due public notice, and

WHEREAS the City Council has determined that the project is an Unlisted Action under SEQRA and has reviewed the Short Environmental Assessment Form, including responding to the questions in Part 2,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed tattoo and body art parlor at 223 J.B. Wise Place is an Unlisted Action pursuant to SEQRA and that the use will not have a negative environmental impact, and

BE IT FURTHER RESOLVED by the City Council that a Special Use Permit is hereby granted to Paul Hinkle for a tattoo and body art parlor at 223 J.B. Wise Place, Parcel No. 7-01-134.

SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH

MOTION WAS MADE BY COUNCIL MEMBER CLOUGH TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING RESOLUTION FOR MONDAY, DECEMBER 1, 2008 AT 7:30 P.M.

MOTION WAS SECONDED BY COUNCIL MEMBER SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

THE RESOLUTION “ APPROVING THE CITY OF WATERTOWN’S COMBINED SEWER OVERFLOW LONG TERM CONTROL PLAN” WAS PRESENTED TO THE COUNCIL (Introduced on November 3, 2008; public hearing held this evening; appears in its entirety on page 231 of the 2008 Minutes Book).

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING RESOLUTION AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

ORDINANCES

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

WHEREAS, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Watertown, Jefferson County, New York, as follows:

Section 1. For paying the design costs for the relining of a portion of the North Side Trunk Sewer Main, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, a specific object or purpose, there are hereby authorized to be issued \$75,000 bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid specific object or purpose is \$75,000 and that the plan for the financing thereof is by the issuance of the \$75,000 bonds of said City authorized to be issued pursuant to this bond ordinance.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five years, pursuant to subdivision sixty-two of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said City of Watertown, Jefferson County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City of Watertown, Jefferson County, New York, by the manual or facsimile signature of the City Comptroller and a facsimile of its corporate seal shall be imprinted thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these

delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Comptroller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the City Comptroller. Such notes shall be of such terms, form and contents as may be prescribed by said City Comptroller consistent with the provisions of the Local Finance Law.

Section 9. The City Comptroller is hereby further authorized, at his or her sole discretion, to execute a project financing agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said City in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 10. The intent of this resolution is to give the City Comptroller sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes, without resorting to further action of this City Comptroller.

Section 11. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 12. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 13. The validity of such bonds and bond anticipation notes may be contested only if:

(1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or

(2) The provisions of law which should be complied with at the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. This ordinance, which takes effect immediately, shall be published in summary in the Watertown Daily Times the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

SECONDED BY COUNCIL MEMBER ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA

UNANIMOUS CONSENT MOVED BY COUNCIL MEMBER CLOUGH, SECONDED BY COUNCIL MEMBER BURNS AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Prior to the vote on the foregoing ordinance, Mayor Graham asked about the additional expenses for bonds and wondered if there were other ways to borrow.

Mr. Mills explained that these fees are design and planning costs that will be rolled over into construction costs for over a 15 year time period. He explained that the fees also cover contingencies.

Council Member Butler asked what would happen if this is not approved.

Mrs. Corriveau explained that it would come out of the operating budget. The resolution voted on this evening was contingent upon this being approved. The existing spending plan anticipated that it would come from borrowing. However, if at the end of the year, we don't need to borrow, we won't.

COUNCIL DISCUSSED THE FOLLOWING TOPICS:

Yellow Ribbons

Council concurred that the request from Beth Fipps be granted and that the yellow ribbons be placed on the gazebo during the holiday season.

Menorah and Crèche

Mrs. Corriveau advised that a new menorah has been purchased. It and the crèche will be placed in the Square.

Introduction of Guests

Council Member Burns introduced her son, Colin Burns and Christina Ferris. Both are students in a JCC State and Local Government Class.

Downtown Traffic Lights

Council Member Burns asked if these had been coordinated.

Mrs. Corriveau stated that they had.

Mayor Graham commented that many of them were blinking red during mid-day.

Salt Usage

Council Member Burns asked about this.

Mr. Hayes explained that they had looked at the treated salt which was on state contract. It was \$72 a ton and an order was placed which was to be delivered next week. However, the City received a call from Innovative Municipal U.S., Inc. and was told that their supplier, American Rock Salt, would not let them sell to anyone in Jefferson County. Albany was called and they will contact the salt company tomorrow because they said that the supplier can not do that.

Ten Eyck Street Tree Planting

Council Member Butler asked if that had been completed.

Mrs. Corriveau explained that she thought they were part of the Tree Watertown project and anticipates it being done this spring as the margin areas between the curb and the sidewalk are not ready yet.

Council Member Butler read from the Planning Department's portion of the City Manager's Report which stated that "as part of the Ten Eyck Street Reconstruction Project, a total of ten trees will be planted by the contractor. The planting, which is scheduled to be completed in early November, will also be overseen by Planning Staff."

Mrs. Corriveau will speak with Mr. Lumbis about the planting schedule for these trees.

Claims Against the City

Council Member Smith asked about the process of disposition for these claims.

Mrs. Corriveau explained that each claim is reviewed by the Board of Audit. The Board of Audit is made up of the Mayor, the City Manager and the City Clerk. The City Attorney sits in on the meetings to give legal advice. The Board has authorization to disperse up to \$5,000. She advised that during 2005-06, the Board paid out \$2,982. In 2006-07, the board authorized \$8,586 in payments.

Comptroller's Office

Mayor Graham complimented the City Comptroller's Office on their Halloween costumes which depicted the Wizard of Oz theme.

ADJOURNMENT

**AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 9:00 P.M.
BY MOTION OF COUNCIL MEMBER CLOUGH, SECONDED BY COUNCIL
MEMBER SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

Donna M. Dutton
City Clerk